

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY



REGION II

EMERGENCY AND REMEDIAL RESPONSE DIVISION, 19th FLOOR

290 BROADWAY

NEW YORK, NEW YORK 10007-1866

84095

NOV 14 1995

EXPRESS MAIL

RETURN RECEIPT REQUESTED

NOV 14 1995

Richard E. Braun, Vice President of Operations
Alliance Chemical Inc.
33 Avenue P
Newark, New Jersey 07105

Re: Second Request for Information Under 42 U.S.C. §9601 et seq.
Diamond Alkali Superfund Site, Operable Unit 2

Dear Mr. Braun:

The United States Environmental Protection Agency ("EPA") has reviewed your responses to the "Request for Information" letter dated January 28, 1994. EPA requests that you answer the questions in the attached sheet and include documentation substantiating your response. Please note that all the statutory provisions and instructions in EPA's prior "Request for Information" letters are applicable to the information requested in this letter.

Pursuant to these statutory provisions, EPA hereby requires that you provide the information requested in Attachment A of this letter, as well as documents supporting your responses, and include the "Certification of Answers to Request for Information," with your notarized signature.

In preparing your response to this "Request for Information," please follow the instructions provided in Attachment B.

Your response to this "Request for Information" should be postmarked or received by EPA within thirty (30) calendar days of your receipt of this letter. Your response should be mailed to:

Mr. Lance R. Richman, P.G.
Emergency and Remedial Response Division
U.S. Environmental Protection Agency
290 Broadway, 19th Floor
New York, New York 10007-1866

with a copy to Ms. Amelia Wagner, Assistant Regional Counsel,
Office of Regional Counsel, 17th Floor at the same address.

Your failure to respond to this "Request for Information" within the time specified above may subject you to an enforcement action under Section 104(e)(5) of CERCLA, 42 U.S.C. §9604(e)(5), and/or Section 3008 of RCRA, 42 U.S.C. §6928. An enforcement action may include the assessment of penalties of up to \$25,000 for each day of continued noncompliance.

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Be advised that you are under a continuing obligation to supplement your response if information not known or not available to you as of the date of submission of your response should later become known or available. If at any time in the future you obtain or become aware of additional information and/or find that any portion of the submitted information is false, misleading or misrepresents the truth, you must promptly notify EPA. If any part of your response is found to be untrue, you may be subject to criminal prosecution.

If desired, you may assert a business confidentiality claim covering all or part of the information requested by this letter. The claim must be supported by each of the four factors specified in Section 104(e)(7)(E) of CERCLA, 42 U.S.C. §9604(e)(7)(E), and must be asserted at the time of submission, by placing on (or attaching to) the information a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret" or "proprietary" or "company confidential." Information covered by such a claim will be disclosed by EPA only to the extent and by means of procedures set forth in Title 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you.

If you have any questions concerning this "Request for Information," please contact Mr. Richman, of my staff, at (212) 637-4409 or Ms. Wagner at (212) 637-3141. Inquiries from attorneys should be directed to Ms. Wagner.

Sincerely yours,

Kathleen C. Callahan, Director
Emergency and Remedial Response Division

Attachments

bcc: A. Wagner, ORC-SUP

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

State of _____

County of _____:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that my company is under a continuing obligation to supplement its response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or the company's response thereto should become known or available to the company.

NAME (print or type)

TITLE (print or type)

SIGNATURE

Sworn to before me this
day of _____, 19____

Notary Public

ATTACHMENT A

REQUEST FOR INFORMATION

Background

The United States Environmental Protection Agency ("EPA") is investigating the disposal of hazardous wastes into the Passaic River. EPA has information indicating that wastes from your facility may have been discharged into the Passaic River.

Provide the information requested below, including copies of all available documentation that supports your answers.

1) A New Jersey Community Right to Know Survey of Alliance's facility in 1988 lists the following chemicals:

Acetic Acid
Acetone
Acetylene
Ammonium Hydroxide
n-butyl Bromide
2-ethoxyethanol
NN-dimethylformamide
1-diazo-4-NN-Dimethylamino Benzene
1-diazo-2,5-Dibutoxy-4-Morpholino Benzene
1-diazo-2,5-Dibutoxy-4-Morpholino Benzene Borofluoride
1-Diazo-4-NN-Diethylaminobenzene Borofluoride
1-Diazo-3-Methyl-4-Pyrrolidinobenzene
1-Diazo-4[ethyl-(2-hydroxy ethyl)amino]Benzene
2,4-dinitrochlorobenzene
Dichlorodifluoromethane
Hydrochloric Acid
Magnesium Sulfate
Sodium Hydroxide
Sodium Nitrate
Zinc
Zinc Chloride

For each chemical listed above, describe:

- a. what manufacturing process each chemical is used in;
- b. what product is a result of that manufacturing process;
- c. how many times that process is used per year;
- d. What chemical byproducts are generated during the manufacturing process; and
- e. what is the average percent yield of product of that process.

2) During what parts of the manufacturing processes identified in the response to item (1), above, were wastes generated? Describe the chemical composition of these wastes. For each process, what amount of waste was generated per volume of finished product? Were these wastes combined with wastes from other processes? If so, wastes from what processes?

3) Describe the methods of collection, storage, treatment, and disposal of each waste identified in the response to item (2), above.

4) You stated in your previous CERCLA 104(e) response (dated January 8, 1994) that an unlined lagoon existed from 1965 until 1970 and was a part of the effluent system. Identify what waste was stored in this lagoon? Were the bottom sediments of this lagoon ever tested? Provide all results of any sampling done on the lagoon.

5) You stated in your previous CERCLA 104(e) response that the unlined lagoon discharged into a drainage ditch prior to 1970. Were any bottom sediments of this ditch ever tested? Provide all results of any sampling done on the ditch.

6) You stated in your previous CERCLA 104(e) response that after 1970, waste was discharged to the Passaic Valley Sewerage System ("PVSC"). Provide all results of testing of waste that was submitted to the PVSC.

7) In your previous CERCLA 104(e) response you discussed the deposition of solid waste since 1970. What was the storage mechanism for solid waste prior to 1970?

8) In your previous CERCLA 104(e) response you indicated that process effluent waters were discharged from 1965-1970 to Plum Creek. Subsequently the waste waters were sent to the PVSC.

a. Please provide all documents relating to the results of any analyses of process water, waste water or other waste streams generated at the facility, including any information on the type of waste water discharged.

b. Please provide specific information on the method or neutralization or pre-treatment of the process water, waste water or other waste streams prior to discharge.

9) Provide the name, address, telephone number, title and occupation of the person(s) answering this "Request for Information" and state whether such person(s) has personal knowledge of the responses. In addition, identify each person who assisted in any way in responding to the "Request for Information" and specify the question to which each person assisted in responding. To the extent not already listed, please identify all current or former employees and agents of your company who were contacted in the preparation of this response.

ATTACHMENT B

INSTRUCTIONS FOR RESPONDING TO REQUEST FOR INFORMATION

1. A complete separate response must be made to each individual question in this "Request for Information".
2. Precede each answer with the number of the question to which it is addressed.
3. In preparing your response to each question, consult with all current or former employees and agents of your company who may be familiar with the matter to which the question pertains.
4. Interpret "and" as well as "or" to include within the scope of the question as much information as possible. If two interpretations of a question are possible, use the one that provides more information.
5. If you are unable to give a detailed and complete answer or to provide any of the information or documents requested, indicate the reasons for your inability to do so.
6. If you have reason to believe that an individual other than one employed by your company may be able to provide additional details or documentation in response to any question, state that person's name, last known address, phone number and the reasons for your belief.
7. For each document produced in response to this "Request for Information", indicate on the document, or in some other reasonable manner, the number of the question to which it applies.
8. If anything is deleted from a document produced in response to this "Request for Information", state the reason for, and the subject matter of, the deletion.
9. Provide all documents that relate to each question. If a document is requested but is not available, state the reason for its unavailability. In addition, to the best of your ability, identify any such document by author, date, subject matter, number of pages, and all recipients and their addresses.
10. As used herein "relate to" or "relating to" means constituting, defining, containing, embodying, reflecting, identifying, stating, referring to, dealing with, or in any way pertaining to. "Document" as used herein means any recording of information in tangible form, including memoranda, handwritten notes, invoices, checks, manifests, tape recordings, computer databases, or any tangible or physical objects however produced or reproduced upon which words or other information are affixed or recorded or from which by appropriate transcription written matter or a tangible thing may be produced.

11. Whenever in this "Request for Information" there is a request to identify a person or an entity other than a person, state the person or entity's full name, last known employment, present or last known home address, and telephone number.

12. As used herein, the term "facility," "hazardous substance," "person," and "release" shall have the meaning set forth in Section 101(9), (14), (21) and (22) of CERCLA, 42 U.S.C. §9601(9), (14), (21), and (22), respectively.

13. In answering these questions, every source of information to which you have access should be consulted, regardless of whether the source is in your immediate possession or control. All documents or other information, including records of all types of manufacturing, treatment, transportation or disposal operations, in your possession or in the possession of the Corporation should be consulted. If you do not have access to certain information and/or documents, state the nature of this information and/or documents, and indicate in whose possession they can be found.